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Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan

Note verbale dated 21 August 2015 from the Permanent Mission of Switzerland to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan and, with reference to the note of 1 April 2015 from the Chair of the Committee, has the honour to transmit herewith the report prepared by Switzerland pursuant to the resolution (see annex).

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Annex to the note verbale dated 21 August 2015 from the Permanent Mission of Switzerland to the United Nations addressed to the Chair of the Committee

Report prepared by Switzerland pursuant to Security Council resolution 2206 (2015)

In accordance with paragraph 17 of Security Council resolution 2206 (2015) of 3 March 2015, Switzerland has the honour to transmit to the Sanctions Committee established pursuant to paragraph 16 of the resolution the following information concerning implementation of the measures contained in paragraphs 9 and 12.

On 12 August 2015, the Swiss Federal Council (the Government) adopted an ordinance instituting measures against South Sudan in order to implement the United Nations sanctions established in resolution 2206 (2015).* The annex to the ordinance contained, on that date, the names of the individuals listed by the Sanctions Committee on 1 July 2015.

The legal basis of the ordinance is the Federal Act of 22 March 2002 concerning the implementation of international sanctions (Embargoes Act).

Paragraph 9 of resolution 2206 (2015): travel ban

This paragraph is implemented by article 4 of the ordinance. Article 4, paragraph 1, prohibits the entry into or the transit through Switzerland of the individuals listed in the annex to the ordinance.

Cases in which an exception to the travel ban may be granted, pursuant to paragraph 11 of resolution 2206 (2015), are set out in article 4, paragraph 2.

Paragraph 12 of resolution 2206 (2015): asset freeze

This paragraph is implemented by article 2 of the ordinance. Article 2, paragraph 1, provides for the freezing of assets and economic resources which are owned or controlled by (a) individuals, companies or entities listed in the annex to the ordinance; (b) individuals, enterprises or entities acting on behalf of or on instructions from persons listed in the annex; and (c) companies or entities owned or controlled by the individuals, companies or entities referred to under (a) and (b). Article 2, paragraph 2, prohibits the provision of assets to individuals, companies or entities subject to the asset freeze, and prevents assets or economic resources being made available to them, whether directly or indirectly.

Article 6 of the ordinance establishes an obligation to declare frozen assets to the competent Swiss authorities.

Other measures

Article 1 of the ordinance imposes a ban on the supply of military equipment and related materiel to South Sudan. This ban applies to the direct or indirect supply of military equipment of any kind (paragraph 1) and of any services relating to such equipment (paragraph 2); and provides for various exceptions (paragraphs 3 and 4). This measure is consistent with similar measures taken by the European Union.

* The text of the ordinance is on file with the Secretariat and is available for consultation.